



THE WALL STREET JOURNAL. ONLINE

Article Search

Advanced Search

Quotes & Research

☒ Symbol(s) ☐ Name

Free Dow Jones Sites

As of Thursday, August 4, 2005

Online Journal Subscribers LOG IN

- Home
- News
- Technology
- Markets
- Personal Journal
- Weekend & Leisure
- Opinion
- TODAY'S NEWSPAPER
- MY ONLINE JOURNAL
- FREE TODAY
- RESEARCH & TOOLS
- FIND A JOB
- FIND A HOME

PAGE ONE

Conflicting Advice **Islamic Justice Finds a Foothold In Heart of Europe**

**Religious Opinions From Afar
Make Integration Tougher
For Big Muslim Population**

Ruling on a Drunken Divorce

By IAN JOHNSON
Staff Reporter of THE WALL STREET JOURNAL
August 4, 2005

WATFORD, England -- Last year, a woman wrote an anonymous letter to a council of Muslim scholars meeting in this small town near London. She had a problem: Her husband was an alcoholic and in a drunken fit had divorced her according to Islamic law, reciting the phrase "I divorce you" three times. Was the divorce valid?

Such questions have occupied Muslim scholars since the religion's inception more than 13 centuries ago. But usually the interpretation of sharia, or Islamic law, occurred in predominantly Muslim lands. The woman's situation was different. She was a resident of France, a non-Muslim country governed by its own laws. And the answer to the question, in the form of a fatwa, or religious opinion, directly conflicted with the French legal code.



**ISLAM AND
EUROPE**
A Volatile Mix

"The four schools [of Islamic jurisprudence] consider this an irreversible divorce," wrote the 35-member group, known as the European Council for

Fatwa and Research, in a ruling posted on the group's Web site earlier this year. The husband may have been angry, "but not to the extent that he was not aware of what he said, because when asked later he repeated what he said," the opinion added.

Across Europe, Muslims are hungry for advice about how to integrate in their new countries while remaining true to their faith. Questions range from the complex (Can I pay into a pension system that is based on interest, which is forbidden by

An Online Journal Sweepstakes
You could win a European Cruise!
ENTER TODAY
NO PURCHASE NECESSARY OFFICIAL RULES

advertisement

**MidCap
SPIDR**
STATE STREET
GLOBAL ADVISORS | SSGA

**Capture the
middle of the
market.**

**Learn about
MidCap Spiders™**

Site Highlights

New features
WSJ.com is introducing new search features as well as indexes to give readers quick access to businesses and people prominently mentioned in the daily Journal.

TODAY'S MOST POPULAR

- Dollar's Slide Could Hurt Bonds
- U.S. Gas Prices Haven't Cut Consumption

Islam?) to the mundane (When do sunset prayers take place during the summer solstice in Scandinavia, when the sun doesn't set?). In response, councils, television shows and Internet sites have issued a flood of fatwas aimed at aiding the residents of Islam's newest frontier, Europe.

- Strange Stumbles Mar Lay's Defense
- The Internet on the Big Screen
- Economist John Kenneth Galbraith Dies

Personalized Home Page Setup
Put headlines on your homepage about the companies, industries and topics that interest you most.

But as the French woman found out, this avalanche of advice is heavily skewed toward interpretations of Islam that can make integration harder, not easier. Well-financed organizations based in the Middle East dominate the discussion in Europe, promoting scholars who display little understanding of the problems facing European Muslims. Some advice contradicts local laws, especially in questions of marriage and divorce. And even in an Islamic context, much of the advice is issued by self-appointed experts with a shallow grounding in Islamic law. Says Khaled Abou El Fadl, a professor of law at the University of California in Los Angeles, Islamic law has become the "playing field for shabby scholarship, political sloganism and ideological demagogues."

MINORITY REPORT



See an interactive map showing the growth of Western Europe's largest Muslim populations.

USEFUL LINKS

- IslamOnline's resource page on fatwas
- English Aljazeera.net

MORE IN THE SERIES

- **Page One:** How a Mosque for Ex-Nazis Became Center of Radical Islam 07/12/05
- **Page One:** As Muslims Call Europe Home, Dangerous Isolation Takes Root 07/11/05

Europe's most influential Muslim rule-making body is known as the European Council for Fatwa and Research. It was set up by an organization and scholars tightly allied with the Muslim Brotherhood, an Islamist group that has widely penetrated Muslim life in Europe. Its stated goal is to help Muslims integrate into Europe by offering moderate religious opinions. Some of its opinions do that: Despite criticism from many scholars in the Middle East, it issued an opinion allowing European Muslims to buy houses with mortgages, which are usually forbidden due to the traditional Islamic ban on interest.

But the group is also dominated by outsiders with little idea of what is acceptable in the West. At one meeting attended by a Wall Street Journal reporter, a council member cited "The Protocols of the Elders of Zion," a notorious anti-Semitic forgery written in czarist Russia, in a position paper on how Muslim families are under threat in Europe. The Protocols, the speaker said, was evidence of a Jewish plot to undermine Muslim moral values through sexual permissiveness.

The council's founder, Youssef Qaradawi, sets the bifurcated tone: He advocates that European Muslims participate in their home countries' political life and says that women should be allowed to work. He has condemned suicide bombings in the West, such as the recent attacks in London. But he also has issued fatwas backing suicide bombings against civilians in Israel and U.S. troops in Iraq. And he has defended the death penalty under sharia law for homosexuals, writing: "While such punishments may seem cruel, they have been suggested to maintain the purity of the Islamic society and to keep it clean of perverted elements." Mr. Qaradawi refused repeated requests for comment.

The fatwas are part of the broader issue of how Islam can adapt to Europe. A few decades ago, European Islam was the province of a few merchants and converts. Waves of immigration, however, have changed this. Now it is the continent's fastest-growing religion, with 15 to 20 million adherents concentrated in a handful of countries.

Many Muslims have integrated seamlessly into Europe. But sizable numbers wonder if they can live as good Muslims in societies dominated



by other faiths with other laws. For some, the advice they get leads to an inescapable conclusion: They must shun the West and build separate communities where Western norms do not apply.

Even if fatwas don't advocate violence, they can pave the way for violence by offering advice that caricatures the West as decadent and contaminating. In the English city of Leeds, the London suicide attackers were inspired by imported ideologies, which look down on the West and glorify "martyrdom." Among terrorists, the indoctrination usually comes in the form of books, videos and visiting preachers, who argue that violent jihad against the West is the only answer to Muslims' problems.

The search for religious authority among European Muslims comes as European countries have done little to integrate their new immigrants. Double standards often exist; in Germany, for example, Christian and Jewish organizations are allowed to offer religious instruction in public schools but Muslim groups aren't. Authorities say this is because Islam is so fragmented that they don't know which group to pick to offer courses, but the result is that European Muslims have been left to their own devices to decide what is appropriate Islamic behavior.

These struggles are mirrored throughout the Muslim world, where traditional forms of religious authority are breaking down as people become better educated and decide for themselves how to interpret the Quran and the Prophet's sayings. That is weakening the ability of authoritarian states to use religion to control their populations. But as the turmoil among Europe's Muslims shows, the loss of tradition does not necessarily mean moderation. Instead, it often sets the stage for efforts to create a new, more strident form of religion -- one that can be intolerant of anyone, ordinary Muslims included, who does not follow their vision of Islam.

Since it was founded in the seventh century, Islam has become a religion with rules that define daily life. Muslims have regulations governing food and prayer, as well as financial transactions, marriage law, criminal penalties and dress codes.

Interpreting such a comprehensive code of life has fallen on experts who advise ordinary believers. For Westerners, the most famous fatwa was issued by Iran's supreme spiritual leader, Ayatollah Khomeini, in 1989 against the British writer Salman Rushdie. Most, though, are about more ordinary topics, such as marriage, divorce, clothing and prayer. Fatwas aren't binding, but from the questioner's perspective the advice is given in God's name, so it is usually taken seriously.

For most of its history, Islam has been decentralized. Its dominant Sunni strain has only sporadically had a single spiritual leader, akin to the Roman Catholic Pope, who can issue rules on theological, moral or ethical questions. So religious opinions have usually come from local authorities, such as the neighborhood imam, based on a specific question by a specific individual -- not universal rules. This has been one of Islam's historic strengths, allowing it to spread to vastly different cultures around the world.

Today, most Middle Eastern states have taken firm control of religious opinion-making. In Egypt and Turkey, for example, fatwa councils are extensions of the government. Some of these experts, known as muftis, oversee religious opinion in their country.

Europe is different. No country has a national system of interpreting Islamic law. For several decades, Europe's lack of religious authority was of little concern to Islamic scholars. Most held that Europe was not part of the Islamic world. Their conclusion was simple: Muslims simply shouldn't reside in non-Muslim parts of the world because of the impossibility there of living a true Muslim life in conformity with Islamic law.

But starting in the late 1980s and through the 1990s, Europe became accepted as part of the Muslim world. The growing number of Muslims in Europe made it impossible to ignore. That implied that Muslims there had to live according to Islamic law. But how?

"It has created a remarkable amount of confusion about what exactly is defined as Islamic," says Professor Fadl, one of the leading experts on Islamic law. "Is it enough to find some quote by the Prophet? Is it enough to say 'in the name of God, most gracious, most merciful'? What are the criteria?"

The Founder

The man trying to redefine and spread the reach of orthodox Islamic law is Mr. Qaradawi, who founded the European fatwa council. Mr. Qaradawi made his name in the 1960s by publishing one of the most widely reprinted and translated popular Islamic works: "The Lawful and the Prohibited in Islam," a series of do's and don'ts for Muslims. He has built on that with two of the Islamic world's most popular Web sites, IslamOnline.com and qaradawi.net. He also has a weekly fatwa show on al-Jazeera, the popular Arabic-language television news station. Most recently, he set up an international group of scholars to bypass national hierarchies in the Islamic world -- a direct challenge to the religious authorities in Saudi Arabia, which sees itself as the guardian of Islamic standards.

Mr. Qaradawi's internationalism is in keeping with the ideals of the Muslim Brotherhood. Founded in Egypt 80 years ago, the group has spread throughout the Muslim world, advocating an all-embracing brand of Islam that has spurred reformers but also terrorist organizations. Mr. Qaradawi, an Egyptian, was once viewed as a leading candidate to head the group but preferred to stay in Qatar, where he has the freedom to speak his mind and travel the world building his influence. Mahdy Akef, the Brotherhood's Egypt-based supreme guide, calls Mr. Qaradawi "our professor."

"He is recreating a modern-day version of the global Islamic community," says Bettina Gräf, who studies Mr. Qaradawi at Berlin's Center for Modern Oriental Studies, a leading academic center established by the German government. "People in Mecca and elsewhere are watching him very closely."

Around the Muslim world, Mr. Qaradawi is seen as a force for moderation. His daughters work and drive cars. He castigates the lack of democracy in the Middle East. Officials in his adopted homeland of Qatar laud his positive contribution, boasting that he is as influential as Mecca.

Over the past decade, he has worked to project his influence into Europe. In a Cairo apartment complex, for example, a group of young men working on Compaq computers makes up IslamOnline's "sharia department." Its head is Ali Al-Halawani, a 34-year-old with a pencil-thin moustache and impeccable English. He says his team has posted more than 3,000 fatwas from around the world, all available on a searchable "fatwa bank" in English and Arabic. Many of the people asking questions, he says, are European Muslims unsure of how to apply Islamic law.

"We do not intend to replace the imams in Western countries," Mr. Halawani says. "They are well-versed in the local conditions. We intend to back them up, to be a resource for them. They can look up fatwas and get ideas."

As is often the case with Mr. Qaradawi's other ventures in the West, most of IslamOnline's advice comes from scholars who reside in the Middle East, not the West. The fatwa council, too, is drawn primarily from this part of the world, although when he founded it in 1997, Mr. Qaradawi said he wanted most scholars to reside in the West so they would better understand the problems

Muslims have there.

The council is part of a web of organizations that spread ideology close to the Muslim Brotherhood throughout Europe. Mr. Qaradawi launched it in conjunction with the Federation of Islamic Organizations in Europe, an umbrella group that unites like-minded groups across the continent.

Unlike Mr. Qaradawi's television or Internet ventures, the council is aimed at opinion-makers -- the imams who run mosques and officials in religious organizations. The council sponsors training sessions for imams, where its rules are explained. And all of its rulings are available online in Arabic and English on the council's own site or IslamOnline.

The council usually gathers twice a year. Its meetings are closed to the public but last year it allowed a journalist to attend some sessions when key issues were discussed and position papers presented. That meeting was held in the small town of Watford, a suburb of London.

About 60 people gathered in a Ramada Inn conference room, including the 35 members of the council, mostly from Middle Eastern countries, and about 25 observers, including members of the imams' staffs. Nearly everyone wore traditional garb, such as white robes for the Sudanese delegation.

Members of the group say Mr. Qaradawi has final say over all fatwas, and he listened carefully to the long, often droning position papers that set forth the orthodox views of the group. Dressed in a long cotton gown and wearing a red-peaked cap with white trim, he kept a severe expression on his face as members, speaking in Arabic, explained how European Muslim family life was under attack.

"Extremist fundamentalist powers based on aggression on the part of the Crusader and Zionist alliance in the West are now preparing their cultural strategy according to a new wave of secular tendencies," said Ahmed Ali Al-Imam, a Sudanese religious figure who advocates the implementation of sharia in his religiously divided country.

Other papers accepted traditional norms that directly contradict Western law and society, especially regarding women and marriage. Women should only cut their hair with their husbands' permission, and "any woman who would marry without a male guardian's consent, her wedding is invalid," declared Muhammad Hawari, a Germany-based member of the group.

Sometimes the group's advice seems aimed at Muslims from another era. "Children should eat clean food and use clean water. They should not urinate in water wells," Mr. Hawari wrote in a paper. Adoption, he added, was forbidden, because a woman might be seen in a state of undress by a child other than her biological offspring. And if a child is adopted, Mr. Hawari said they should not be given equal rights to biological children.

Messrs. Hawari and Imam, like Mr. Qaradawi, refused to comment for this article.

Some members of the council quietly say Mr. Qaradawi is probably not the best public face for the group, although his reputation and personality created the organization. One member, Mustafa Ceric, the Grand Mufti of Bosnia, said the council reflects European Muslims' difficulties of knowing what standards apply to them: "We are in a transitional phase where we live in Europe but we think of an abstract Islam."

A Garbled Message

For many at the grassroots, the message seems to be two-fold: that Muslims need special rules to

fit into European society; and that anyone with a copy of the Quran and the Prophet's sayings can be a mufti.

The gap with Western society was on display at Berlin's Bilal mosque recently when a well-known religious authority, Amir Zaidan, attracted about 100 listeners for a talk on Islamic law. Afterward, men crowded around Mr. Zaidan with anxious questions, especially concerning sharia's ban on interest. Carried to its logical conclusion that rules out mortgages, life insurance and most retirement plans.

One man in his 50s asked if he may participate in a new retirement program being promoted by the German government. It is based on compounded interest and is voluntary, but in an era of shrinking pensions is considered a good idea by personal-finance experts.

Mr. Zaidan sat on the ground and assumed the role of a mufti, questioning the man about the specifics of his case. After a lively discussion with other men in the room, Mr. Zaidan ruled. The payments the man has made are "halal," or allowed. But the interest is "haram," forbidden. "Deduct the interest that is accrued and refuse to accept it," he said.

The questioner sat slack-jawed for a minute. Without the interest, the plan will not give him the returns he needs to retire. He shook his head, worried at the advice he had received. Contacted several weeks later, he says he has decided to forgo the pension plan and use his savings to help his son buy a house. "My children are my retirement," he says.

After Mr. Zaidan left, a group of younger men picked up the topic of Islamic law. In their 20s and 30s, most were born in Germany to immigrant parents. They all go by their first names; surnames are a Western invention, they say.

One is Mahmoud, a 29-year-old Palestinian who came to Germany as a 3-year-old and is struggling to find a role here. Tall and heavy with slicked-backed shoulder-length hair, he has a job cleaning buildings, the best he could do with just a basic-level high-school degree.

Like several other members of the group, he is familiar with Mr. Qaradawi's fatwa council and consults online Web sites such as IslamOnline. His views mirror these influences, with a desire to fit in but an underlying intolerance of others.

One of his friends, a convert, started to tell the group about how his Christian mother likes him to give her flowers on her birthday. Mahmoud wagged his finger at him and declared that birthday celebrations are forbidden. Muslim moderates argue that Islamic law is neutral about birthdays. However, Arabs traditionally don't hold birthday parties and there is no evidence in reading the Quran that Mohammad celebrated his. So young European fundamentalists who want to imitate the Prophet's life consider such parties to be out of bounds.

Then a man who had been hugging his knees in the corner piped up. He had read about the Prophet's condemnation of polytheism. Now, he said, he is angry at Buddhists and Taoists. "I'd love to just go into their temples and sweep out all those statues and toss them onto a dump," he said with a grin. "Yeah, then let's see how their gods deal with that."

The group looked embarrassed for a moment. Then Mahmoud described how he badgered an uncle into removing a picture from his wall. Islam bans human representation in art and Mahmoud believes that means all decorative art. The picture was a verse from the Quran written in calligraphy, which is widely used as artwork around the Muslim world. No matter to Mahmoud. "I said, 'No, it's forbidden. Read the Quran.' "

A couple of men in the group were puzzled, but they began to nod in agreement as Mahmoud

continued.

"My uncle, he really liked that thing and wouldn't take it down. So I asked him to make it a gift to me. He did and I destroyed it in front of him. He was really upset but it had to happen. He has to understand what sharia is about."

Write to Ian Johnson at ian.johnson@wsj.com



FORMAT FOR PRINTING



ORDER REPRINTS

Sponsored by

TOSHIBA
COPY • FAX • PRINT